

***DSCP - GENERAL AND INDUSTRIAL COMMODITY DIRECTORATE
SIMPLIFIED PURCHASE AGREEMENT***

Enclosure 3

PROCUREMENT AUTOMATED CONTRACT EVALUATION (PACE) POLICY

I. GENERAL POLICY

a. This document provides the rules and lists of clauses/provisions applicable to Requests for Quote (RFQs) and Purchase Orders issued by the Defense Supply Center Philadelphia (DSCP) for PACE purchases of \$25,000 and below.

b. SASPS II "T" solicitations issued on the Procurement Gateway are candidates for automated award by PACE (unless excluded below) when the dollar value of the acquisition is estimated at \$25,000 or below and the solicitation terms are inspection and acceptance at destination. (Note: All "T" type solicitations are issued on an F.O.B. destination basis.)

c. The following items are exceptions from PACE, and will be evaluated and awarded manually:

- Flight Safety Critical items
- Life Support items
- Source Controlled items
- Hazardous material
- Surplus material
- Qualified Product List (QPL) items
- Qualified Manufacturer List (QML)/Qualified Supplier List (QSL)
- Foreign Military Sales
- Foreign Material
- First Article Testing (FAT) or other special testing
- Section 8(a), Federal Prison Industries(FPI) and Javits-Wagner-O'Day(JWOD) items

d. PACE evaluation and award is FULLY AUTOMATED. There is no buyer to review offers or any data supplied under separate cover; therefore, only QUOTE TYPE "BI" (BID WITHOUT EXCEPTION) will be accepted for consideration.

e. For PACE candidate solicitations, all clauses/provisions in Part 1 of this section are applicable. Clauses in Part 2 of this section are applicable as indicated by the instructions for use.

f. Purchase orders awarded by PACE are identified by a "V" in the ninth position of the Purchase Order Number (e.g., SP0540-98-V-1234). The award will also have a statement referencing this document (PACE Rules and Clauses) on the face of the DD Form 1155 or the second page of the award. When a "V" is in the ninth position of the Purchase Order number, all clauses in Part 1 of this document are applicable to the order. Clauses/provisions/notices in Part 2 of this document are applicable as indicated by the instructions at each cite.

II. CERTIFICATIONS:

a. All information requested in DLAD Clause 52.213-9004, Offeror Representations, Certifications, and Fill-In Information - Electronic Commerce, must be provided in the vendor's quote.

b. Acquisitions over \$2,500 for certain items require certification that no child labor was used to produce the items. The list of products requiring contractor certification is located at <http://www.dol.gov/dol.ilab>. Currently the list includes only food items, bamboo, hand-made bricks, and rubber. Contractors are required to check the list and certify regarding child labor if the offered items are listed. Place the certification in the remarks area of the quotation.

III. SMALL BUSINESS SET-ASIDES: Acquisitions with a dollar value exceeding \$2,500 are set-aside for small business when the Request for Quotation (RFQ) posted on the Procurement Gateway includes a statement such as "Notice of Small Business Set-Aside." FAR Clause 52.219-6, Notice of Total Small Business Set-Aside, applies. For acquisitions between \$2,500 and \$25,000, clause 52.219-6 Alternate I applies whereby the Small Business Administration has determined that the nonmanufacturer rule is waived.

IV. PRICE REASONABLENESS: Post award pricing reviews will be performed to ensure that prices paid are reasonable. Instances of suspected overpricing will be investigated.

V. CONDITIONS FOR PACE:

a. SUBMISSION OF QUOTATIONS: PACE may select an awardee immediately after the RFQ closes; therefore, quotations should be submitted promptly.

b. PRICE AND DELIVERY ARE THE EVALUATION FACTORS. (Quality may also be evaluated if Automated Best Value System (AVBS) applies.)

c. AWARD MAY BE BASED ON EARLIER DELIVERY RATHER THAN LOWEST PRICE.

d. AWARD WILL BE MADE ON AN "ALL OR NONE" BASIS.

e. TERMS AND CONDITIONS: To be considered for a PACE automated award, offers must comply with the following:

1. Quotation on an F.O.B. Destination basis.
2. The exact item requested must be offered, or an item identified as: 1) a previously approved alternate or 2) a superseding part number.
3. NO exceptions can be taken to quantity, packaging, or marking, as stated in the solicitation.
4. If the RFQ specifies inspection and acceptance at origin, origin inspection is mandatory.
5. Variations in quantity ARE NOT authorized.
6. Statements made in the remarks section of your quotation will be deemed exceptions and will render your quotation ineligible for an automated award.
7. Quotations for other than "new" material (as defined in FAR clause 52.211-5) are ineligible for an automated award.

VI. DELIVERY EVALUATION FACTOR

a. Each RFQ will cite a Requested Delivery Date (RDD). A Delivery Evaluation Factor (DEF) will be applied to any quoted delivery term that differs from the term requested by the RDD. This factor will be used to compute your DEF price used in the evaluation of offers.

b. To determine the number of delivery days requested (requested delivery term), subtract the Julian date of the PURCHASE REQUEST (PR) NUMBER (PR positions 4-8) from the RDD. The result is the requested delivery term.

c. EXAMPLE: PR YPI99142000015 (99142 Julian) and RDD of 99 Jul 06 (99187 Julian).

$$99187 - 99142 = 45 \text{ days}$$

d. For evaluation purposes, DEF decreases your evaluated price when your quoted delivery term is shorter than the requested delivery term. For evaluation purposes, DEF increases your evaluated price when your quoted delivery term is longer than the requested delivery term. When your quoted delivery is the same as the requested delivery term, DEF neither decreases nor increases your evaluated price; it is the same as your quoted price. The application of DEF could result in award to an offeror with a higher price but a shorter delivery term.

If for any reason the award is made manually, DSCP will award to the contractor with the lowest acceptable DEF price where DEF has been applied and the Contracting Officer determines the Government will receive a better value by paying a higher price for an earlier delivery. **Automated Best Value System (ABVS) may also apply, see paragraph 12(b) of this agreement.**

CAUTION: When DSCP awards to other than the low offeror because the successful offeror's shorter delivery term resulted in the lowest evaluated price, on-time delivery is mandatory. Should the awardee fail to meet its quoted delivery term as incorporated in the Purchase Order due to a contractor caused delay, the Government may collect from the contractor an amount equal to the difference between the otherwise low offeror's quoted total price and the awardee's total price plus \$250 administrative costs. The Government is also not precluded from seeking additional consideration commensurate with the delivery extension requested.

DSCP may preclude contractors who repeatedly deliver after the Purchase Order delivery date from receiving future PACE awards. Late delivery due to contractor caused delay will impact Automated Best Value System (ABVS) scores.

VII. ALTERNATE OFFERS

a. Alternate offers will not be considered for PACE automated awards.

b. Alternate items may be submitted for acceptance for future procurements. Submit your request, citing the National Stock Number (NSN) and including technical data as outlined in DLAD clause 52.217-9002, CONDITIONS FOR EVALUATION AND ACCEPTANCE OF OFFERS FOR PART NUMBERED ITEMS (DPACS clause number L018) in Section L of the DSCP Master Solicitation, to the following address:

Defense Supply Center Philadelphia
Competition Advocate
ATTN: DSCP-PI
700 Robbins Avenue

PART 1

MANDATORY PROVISION/CLAUSE LIST FOR PACE PURCHASES

Clauses in Part 1 are applicable to all PACE solicitations and purchase orders. Provisions in Part 1 are applicable to all PACE solicitations.

E020 INSPECTION AND ACCEPTANCE POINT DSCP 52.246-9I21

a. The inspection and acceptance point will be as stated on the solicitation and award documents.

b. ORIGIN INSPECTION REQUIREMENTS:

1. When award cites inspection and acceptance at origin, the awardee shall notify the office cited in Block 7 of DD Form 1155 when the items are ready for inspection.

2. If the office cited in Block 7 is not the inspecting office, the awardee shall notify the ACO identified in Block 7, within 5 working days after receipt of order.

3. Shipment shall not be made until items are inspected and accepted by a Government Quality Assurance representative, or a Certificate of Conformance in accordance with FAR clause 52.246-15 (DPACS clause number E008) is granted.

<u>DPACS CODE</u>	<u>CLAUSE NUMBER</u>	<u>TITLE</u>
D006		Wood Packaging and Pallets (See para 33 of SPA for text)
E010	FAR 52.246-2	Inspection of Supplies - Fixed Price
E011	DSCP 52.246-9I04	Destination Inspection and Acceptance
F002	DSCP 52.247-9I03	Consignment and Addressing Instructions
F007	FAR 52.247-34 F.O.B. Destination	
F012	DSCP 52.211-9I07	Accelerated Delivery
F015	FAR 52.247-48 F.O.B. Destination - Evidence of Shipment (Only for Source Inspected buys)	
I001	DFARS 252.204-7003 FAR 52.211-2	Control of Government Personnel Work Product Availability of Specifications Listed in DoD Index of Specifications and Standards (DoDISS) and Descriptions Listed in the Acquisition Management System and Data Requirements Control List
	FAR 52.211-15	Defense Priority and Allocation Requirements
	FAR 52.211-17	Delivery of Excess Quantities
	FAR 52.215-8	Order of Precedence

	FAR 52.232-8	Discounts for Prompt Payment
	FAR 52.232-25	Prompt Payment
	FAR 52.233-1	Disputes
	FAR 52.233-3	Protest After Award
	FAR 52.252-6	Authorized Deviations in Clauses
I005	DLAD 52.211-9002	Priority Rating
I032	FAR 52.232-1	Payments
I130	FAR 52.252-2	Clauses Incorporated by Reference
I175	FAR 52.232-33	Mandatory Information for Electronic Funds Transfer Payment
L053	FAR 52.215-8	Order of Precedence - Uniform Contract Format
<u>DPACS CODE</u>	<u>PROVISION NUMBER</u>	<u>TITLE</u>
I171	DLAD 52.233-9000	Agency Protests
K009	DLAD 52.213-9004	Offeror Representations, Certifications, and Fill-In Information - Electronic Commerce
K048	FAR 52.204-3	Taxpayer Identification
L022	DSCP 52.211-9I22	Availability of Drawings, Specifications, and Standards
L032	FAR 52.211-14	Notice of Priority Rating for National Defense Use
L046	FAR 52.251-1	Solicitation Provisions Incorporated by Reference
L068	DLAD 252.204-7004	Required Central Contractor Registration

PART 2

CONDITIONAL PROVISION/CLAUSE LIST FOR PACE PURCHASES

Clauses/provisions/notices in Part 2 may be applicable to the PACE solicitation and purchase order. To determine applicability, read the instructions at each clause/provision/notice below.

<u>DPACS CODE</u>	<u>CLAUSE NUMBER</u>	<u>TITLE</u>
D004	N/A	BAR CODING REQUIREMENTS FOR CONTRACTOR OR VENDOR-ORIGINATED SHIPMENTS (Applies when the acquisition will be shipped to a location other than a DLA

		Distribution Depot, i.e., direct vendor delivery (DVD)).
E014	DSCP 52.246-9I14	ADDITIONAL REQUIREMENTS - MATERIAL INSPECTION AND RECEIVING REPORT (Applies to acquisitions of wood products which require export shipment.)
E015	DSCP 52.246-9I13	INSPECTION STANDARDS, WOOD PRODUCTS (Applies to acquisitions of wood products.)
F009	FAR 52.247-52	CLEARANCE & DOCUMENTATION REQUIREMENTS - SHIPMENTS TO DOD AIR OR WATER TERMINAL TRANSHIPMENT POINTS (Applies when shipments will be consigned to DoD air or water terminal transshipment points.)
F046	DSCP 52.247-9I19	EXPORT DELIVERY TERMS, WOOD PRODUCTS (Applies to acquisitions of wood products requiring export shipment.)
F048	DSCP 52.247-9I22	TRANSPORTATION OF WOOD PRODUCTS (Applies to acquisitions of wood products.)
F049	DSCP 52.247-9I23	ALASKAN, HAWAIIAN OR PUERTO RICAN REQUIREMENT (Applies to acquisitions of wood products which require delivery to Alaska, Hawaii, or Puerto Rico.)
F050	DSCP 52.211-9I06	SHORT LENGTHS OF FILM (Applies to acquisitions for for photographic film that involve purchase of random lengths.)
G006	DSCP 52.242-9I02	DELEGATION OF ADDITIONAL CONTRACT ADMINISTRATION FUNCTIONS (Purchase orders assigned to a field contract administration office for administration.)
G009	DSCP 52.242-9I04	DISTRIBUTION OF DELINQUENCY REPORT (Purchase orders assigned to a field contract administration office for administration.)
H014	DSCP 52.211-9I12	CLAIM FOR EVALUATION DIFFERENTIAL (Purchase Orders based on payment of a differential under the DEF program, i.e., "W" awards).
I001	FAR 52.222-3	CONVICT LABOR (Applies when acquisition exceeds \$2,500 but is less than \$10,000 unless performed outside the U.S., its possessions and territories.)
I001	FAR 52.222-20	WALSH-HEALEY PUBLIC CONTRACTS ACT (Applies when acquisition exceeds \$10,000 unless performed outside the U.S. its possessions and territories.)
I001	FAR 52.222-21	PROHIBITION OF SEGREGATED FACILITIES (Applies when acquisition exceeds \$10,000 except service contracts, delivery orders to FPI, and orders performed outside the U.S.,

its possessions and territories.)

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| I001 | FAR 52.222-26 EQUAL OPPORTUNITY (Applies when acquisition exceeds \$10,000 unless performed outside the U.S., its possessions and territories.) |
| I001 | FAR 52.222-35 AFFIRMATIVE ACTION FOR DISABLED VETERANS AND VETERANS OF THE VIETNAM ERA (Applies when acquisition exceeds \$10,000 unless performed outside the U.S., its possessions and territories.) |
| I001 | FAR 52.222-36 AFFIRMATIVE ACTION FOR WORKERS WITH DISABILITIES (Applies when acquisition exceeds \$10,000 unless performed outside the U.S., its possessions and territories.) |
| I001 | FAR 52.222-37 EMPLOYMENT REPORTS ON DISABLED VETERANS AND VETERANS OF THE VIETNAM ERA (Applies when acquisition exceeds \$10,000 unless performed outside the U.S., its possessions and territories.) |
| I001 | DFARS 252.225-7002 QUALIFYING COUNTRY SOURCES AS SUBCONTRACTORS (Applies when the acquisition exceeds \$2,500 unless set-aside for small business, then in accordance with FAR clause 52.219-6 (see I075 below), the product of a small domestic manufacturer must be supplied). |
| I001 | FAR 52.232-23 ASSIGNMENT OF CLAIMS (Applies when acquisition exceeds \$2,500.) |
| I001 | FAR 52.242-17 GOVERNMENT DELAY OF WORK (Applies to acquisitions for other than commercial items.) |
| I046 | FAR 52.213-1 FAST PAY PROCEDURES (Applies to acquisitions which are direct vendor deliveries, including Foreign Military Sales (FMS) requirements.) |
| I052 | DFARS 252.225-7001 BUY AMERICAN ACT AND BALANCE OF PAYMENTS PROGRAM (Applies to all acquisitions between \$2,500 and \$25,000 and to acquisitions above \$25,000 except when it is restricted to domestic end products (as stated in FAR 6.3), an exception to the Buy American Act applies or an exception to the Balance of Payment Programs applies). |
| I061 | DFARS 252.225-7009 DUTY-FREE ENTRY - QUALIFYING COUNTRY END PRODUCTS AND SUPPLIES (Applies when acquisition exceeds \$2,500 except when set-aside for small business or when the supplies will be shipped directly from a source outside the U.S. to a customer outside the U.S.) |
| I073 | DFARS 252.225-7030 RESTRICTION ON ACQUISITION OF CARBON, ALLOY, AND ARMOR STEEL PLATE (Applies to acquisitions for Carbon, Alloy and Armor Steel Plate.) |

I075	FAR 52.219-6	NOTICE OF TOTAL SMALL BUSINESS SET-ASIDE (Applies when the acquisition exceeds \$2,500 and is set-aside for small business, unless 52.219-6 Alt I applies, see I180 below.)
I142	DFARS 252.225-7036	NORTH AMERICAN FREE TRADE AGREEMENT (NAFTA) IMPLEMENTATION (Applies when acquisition exceeds \$53,150 in FSG's 22, 24, 30, 32, 35, 37-42, 45, 46, 49, 53-56, 61-63, 66, 67, 73, 74, 76, 81, 91, 94 and 96 except for Small business Set-Asides.)
I159	DSCP 52.223-9I01	ANTI-STAIN TREATMENT (UNTREATED WOOD PRODUCTS) (Applies to acquisitions of timbers, see item description.)
I160	DSCP 52.247-9I29	SHIPMENTS TO GOVERNMENT PACKING FACILITIES: FOAM IN PLACE (Applies to acquisitions for vitreous china when "Foam In Place" or equivalent packaging is cited in the item description or Prep for Delivery.)
I161	DSCP 52.227-9I06	COMMERCIAL MANUALS (Applies to acquisitions of FSC 4110 and FSG 73 items. Not applicable to items for Naval Shipboard use).
I162	DSCP 52.227-9I07	COMMERCIAL MANUALS FOR NAVAL SHIPBOARD USE ITEMS (Applies to acquisitions of FSC 4110 and FSG 73 items, where the item description cites naval shipboard use.)
I163	DSCP 52.211-9I03	DATA NAME PLATES (Applies to acquisitions of FSCs 4110, 7310, and 7320 items when commercial manuals are required.)
I166	DSCP 52.211-9I04	EDGE NUMBERING OF AERIAL FILM (Applies to acquisitions for aerial film.)
I169	FAR 52.244-6	SUBCONTRACTS FOR COMMERCIAL ITEMS AND COMMERCIAL COMPONENTS (Applies to acquisitions for other than commercial items.)
I172	DFARS 52.225-7036	BUY AMERICAN ACT – NORTH AMERICAN FREE TRADE AGREEMENT IMPLEMENTATION ACT – BALANCE OF PAYMENTS PROGRAM (ALTERNATE I) (Applies when acquisition exceeds \$53,150 in FSG's 22, 24, 30, 32, 35, 37-42, 45, 46, 49, 53-56, 61-63, 66, 67, 73, 74, 76, 81, 91, 94 and 96 except for Small business Set-Asides.)
I173	FAR 52.223-7	NOTICE OF RADIOACTIVE MATERIALS (Applies to acquisitions for supplies which are, or which contain, radioactive materials.)
I180	FAR 52.219-6	NOTICE OF TOTAL SMALL BUSINESS SET-ASIDE,

ALTERNATE I (Applies to acquisitions between \$2,500 and \$25,000 and for any other item(s) in which the SBA has determined that the waiver of the nonmanufacturer rule applies.)

I194	FAR 52.232-33	PAYMENT BY ELECTRONIC FUNDS TRANSFER CENTRAL CONTRACTOR REGISTRATION (CCR) (Applies when acquisition requires Central Contractor Registration and payment will be made by EFT. Does not apply to purchases made with the Governmentwide Credit Card – micro-purchases of \$2,500 or less.)
K005	FAR 52.223-4	RECOVERED MATERIAL CERTIFICATION (Applies to acquisitions when the item description cites a federal or military specification.)
K006	DLAD 52.229-9000	KENTUCKY SALES AND USE TAX EXEMPTION (Applies when acquisition is subject to Kentucky Sales and Use Tax.)
K065	DSCP 52.246-9I10	MANUFACTURER'S IDENTIFICATION SYMBOL LISTING REQUIREMENT (Applies to acquisitions for FSCs 5305, 5306, 5307, and 5310 when the item description contains the manufacturer's logo statement.)
K090	DSCP 52.211-9I23	COMPLIANCE WITH NATIONAL SANITATION FOUNDATION (NSF) REQUIREMENTS (Applies to acquisitions for items in FSC 41 and 73.)
L069	DFARS 252.211-7005	SUBSTITUTIONS FOR MILITARY OR FEDERAL SPECIFICATIONS AND STANDARDS (Applies to acquisitions exceeding \$2,500 that cite military or federal specifications and standards.)
M039	DSCP 52.227-9I08	EVALUATION OF MANUALS (Applies to acquisitions of FSC 4110 and FSG 73 items.)

